

Remarks

Claims 1-8, 10-19, 21-44, 46-49 and 51-102 are pending in the present application. Claims 1-8, 10-19, 21-44, 46-49, 51-67, 70, 71, 75, 76, 80, 81, 86-92, 95, 96, 100 and 101 are rejected. Claims 68, 69, 72-74, 77-79, 82-85, 93, 94, 97-99 and 102 are objected to. Entry of this Amendment cancels claims 1-8, 10-19, 21-44, 46-49 and 51-102 without prejudice and adds new claims 103-122.

I. Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Paragraph 1 of the Office Action sets forth a rejection of claims 88-92 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have cancelled claims 88-92 herein without prejudice, and respectfully request that this rejection be withdrawn.

II. Claim Objections Based on Informalities

Paragraph 2 of the Office Action sets forth objections to claims 97 and 102. Applicants have rewritten claims 97 and 102 as new claims 117 and 120 (claim 97) and 122 (claim 102) to incorporate the changes suggested by the Examiner. Accordingly, Applicants respectfully request that these objections be withdrawn.

III. Provisional Obviousness-type Double Patenting Rejections

A. Provisional Rejection of Claims 1-8, 10-19, 21-44, 46-49 and 51-67

Applicants have cancelled claims 1-8, 10-19, 21-44, 46-49 and 51-67 without prejudice, thereby mooting this provisional rejection and Applicants respectfully request its withdrawal.

B. Provisional Rejection of Claims 59-67

Applicants have cancelled claims 59-67 without prejudice, thereby mooting this provisional rejection and Applicants respectfully request its withdrawal.

IV. Claim Rejections Under 35 U.S.C. § 103

The Office Action recites obviousness rejections in paragraphs 7¹ and 8². Applicants have cancelled claims 1-6, 10, 11, 16-19, 21-23, 26-38, 42-44, 48, 49, 53, 54, 58, 70, 71, 75, 76 80, 81, 86, 87, 95, 96, 100 and 101 herein without prejudice. Accordingly, Applicants respectfully request that these obviousness rejections be withdrawn.

V. Allowable Subject Matter

Claims 68, 69, 72-74, 77-79, 82-85, 93, 94, 98 and 99 are objected to as being dependent upon a rejected base claim. Applicants appreciate the Examiner's indication that these claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Examiner further indicates that claims 97 and 102 would be allowable if rewritten to overcome the claim objections set forth in the Office Action (also set forth above in section II) and to include all of the limitations of the base claim and any intervening claims. Applicants have cancelled claims 68, 69, 72-74, 77-79, 82-85, 93, 94, 98 and 99 and also claims 97 and 102 without prejudice for the purpose of rewriting these claims to include the recitations of the base claim and relevant intervening claims. Support for new claims 103-122 can be found in the claims as originally filed and throughout the specification.

No new matter is added by the introduction of new claims 103-122. Accordingly, Applicants respectfully request entry of these new claims, and withdrawal of the rejection of claims 68, 69, 72-74, 77-79, 82-85, 93, 94, 98 and 99 and claims 97 and 102.

¹ Claims 1-6, 10, 11 16-19, 21-23, 26-38, 42-44, 48, 49, 53, 54, 58, 70, 71, 75, 76, 80, 81, 86, 87, 95, 96, 100 and 101 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,359,030 to Ekwuribe et al. (Ekwuribe et al.) in view of U.S. Patent No. 5,349,052 (Delgado), WO Patent Application 97/14740 (WO 97/14740), U.S. Patent No. 5,597,797 to Clark (Clark) and U.S. Patent No. 6,057,292 to Cunningham et al. (Cunningham et al.)

² Claims 12 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Ekwuribe et al. in view of Delgado, WO 97/14740, Clark and Cunningham et al. as applied against claims 1-6, 10, 11, 16-19, 21-23, 26-38, 42-44, 48, 49, 53, 54, 58, 70, 71, 75, 76, 80, 81, 86, 87, 95, 96, 100 and 101 and further in view of Harris et al. J. Macromol. Sci. C25: 325-373 (1985).

VI. Request for Continued Examination and Supplemental Information Disclosure Statement

Applicants submit concurrently herewith a Request for Continued Examination and a Supplemental Information Disclosure Statement. Applicants respectfully request consideration of the references cited on the Supplemental Information Disclosure Statement.

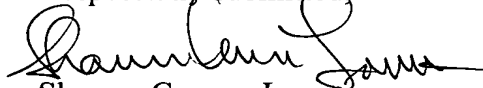
Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request that all outstanding rejections to the claims be withdrawn and that a Notice of Allowance be issued in due course.

The Examiner is invited and encouraged to contact the undersigned directly if such contact will expedite the prosecution of the pending claims to issue. In any event, any questions that the Examiner may have should be directed to the undersigned, who may be reached at (919) 854-1400.

A check in the amount of \$770.00 is enclosed for submission of the Request for Continued Examination. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0220.

Respectfully submitted,



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Susan E. Freedman
Date of Signature: January 13, 2004